

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

FINJAN, INC.,
Plaintiff,
v.
CISCO SYSTEMS INC.,
Defendant.

Case No. [17-cv-00072-BLF](#)

**ORDER REFERRING THE PARTIES'
PROCEDURAL DISPUTE
REGARDING JUDGE VAN KEULEN'S
ORDER ON CISCO'S MOTION TO
STRIKE AT ECF 582 TO JUDGE VAN
KEULEN**

On April 28, 2020, Magistrate Judge, the Honorable Susan van Keulen, issued an Order on Defendant Cisco Systems Inc.'s Motion to Strike Portions of Plaintiff Finjan, Inc.'s Amended Expert Report on Infringement of Patent No. 7,647,633. SVK Order, ECF 582.

The undersigned held a Final Pretrial Conference on April 30, 2020. In that Conference, counsel for Finjan indicated that Finjan intends to appeal from the SVK Order to this Court on two grounds: (1) a procedural issue – because Finjan did not have an opportunity to oppose Cisco's post-hearing submission at ECF 558 and (2) Judge van Keulen's substantive ruling. The Court construes the procedural dispute as a request to file a motion for reconsideration of the SVK Order. Accordingly, the Court REFERS the procedural dispute to Judge van Keulen to decide whether a motion for reconsideration is appropriate. Once the parties' procedural dispute is resolved, Finjan may file its substantive appeal of the SVK Order with this Court.

IT IS SO ORDERED.

Dated: May 1, 2020



BETH LABSON FREEMAN
United States District Judge